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TC

PTO/SB/21 (09-04)

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

		Application Number	10/007,364
		Filing Date	November 5, 2001
		First Named Inventor	Aaron V. Kaplan
		Art Unit	3731
		Examiner Name	Julian W. Woo
Total Number of Pages in This Submission		Attorney Docket Number	0313-0003.01

## ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Form PTO/SB/08a (1 sheet) - (1) Check # 21069 - Certificate of Mailing - Return Postcard
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd.		
Signature			
Printed name	Gary W. McFarron, Esq.		
Date	August 2, 2005	Reg. No.	27,357

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	
Typed or printed name	Barbara Gesiakowski
Date	August 2, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## for FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180.00)

## Complete If Known

Application Number	10/007,364
Filing Date	November 5, 2001
First Named Inventor	Aaron V. Kaplan
Examiner Name	Julian W. Woo
Art Unit	3731
Attorney Docket No.	0313-0003.01

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 50-1039 Deposit Account Name: Cook, Alex, McFarron, Manzo, etc.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES	
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity
Utility	300	150	500	250	200	100
Design	200	100	100	50	130	65
Plant	200	100	300	150	160	80
Reissue	300	150	500	250	600	300
Provisional	200	100	0	0	0	0

## 2. EXCESS CLAIM FEES

## Fee Description

Each claim over 20 (including Reissues)

## Small Entity

Fee (\$) Fee (\$)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

Total Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
- 20 or HP =	x	=	

Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
- 3 or HP =	x	=	

Fee (\$)	Fee Paid (\$)
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HP = highest number of independent claims paid for, if greater than 3

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50=	(round up to a whole number)	x	=

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Supplemental Information Disclosure Statement Fee

\$180.00

## SUBMITTED BY

Signature		Registration No. 27,357 (Attorney/Agent)	Telephone 312-236-8500
Name (Print/Type)	Gary W. McFarron, Esq.		Date August 2, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
Attorney Docket No. 0313-0003.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: )  
Aaron V. Kaplan, et al. )  
Serial No.: 10/007, 364 )  
Filed: November 5, 2001 )  
Group Art No.: 3731 )  
Examiner: Julian W. Woo )  
For: METHODS AND APPARATUS FOR )  
TRANSPERICARDIAL LEFT )  
atrial appendage closure )  
)

CERTIFICATE OF MAILING BY "EXPRESS  
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Date of Deposit August 2, 2005

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NAME Barbara Gesiakowski

SIGNATURE B. Gesiakowski

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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1. Transmittal Form PTO/SB/21 (1 sheet);
2. Information Disclosure Statement (in duplicate - 4 sheets);
3. PTO/SB/08A (1 sheet);
4. Fee Transmittal for FY 2005;
5. Check #21069 for \$180;
6. Certificate of Mailing (1 sheet); and
7. Return Receipt Postcard.

Name: Barbara Gesiakowski

Signature: B. Gesiakowski



PATENT  
Attorney Docket No. 0313-0003.01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: )  
Aaron V. Kaplan, et al. )  
Serial No.: 10/007,364 )  
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NAME Barbara Gesiakowski

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to the documents listed on the attached form, which documents may be material to the examination of this application. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

The U.S. patents cited in this Information Disclosure

Statement were brought to Applicant's attention by the examiner in co-pending U.S. application 10/105,978, filed 3/25/2002 in an office action dated July 20, 2005.

I believed that copies of these patents are not required to be submitted with the Information Disclosure Statement of the present application because the present application conforms to the provisions set forth under 37 C.F.R. §1.98, paragraphs (a) (2) (i) and (a) (2) (ii).

No inference should be drawn that any apparatus or method disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of the documents herein is not to be construed as an admission that any subject matter disclosed in the documents is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of the document discussed herein, that may be cited by the Examiner

in rejecting a claim in the present patent application.

This Information Disclosure Statement is being mailed after a final action or an action that closes prosecution. As the cited information was first called to Applicant's attention in an Office Action dated July 20, 2005 in related Application Number 10/105,978, pursuant to 37 C.F.R. § 1.97(e)(2), it is hereby stated: no item of this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the best knowledge of the person signing this certification after making a reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to filing of this information disclosure statement.

As provided in 37 C.F.R. § 1.97(d), a fee under \$1.17(p) is required for the filing of this information disclosure. Accordingly, a check for the amount of \$180.00, the fee for the submission of this Information Disclosure Statement, is enclosed. If it is determined that an additional fee is required, then authorization is hereby granted to charge Deposit Account 50-1039

any additional fee required.

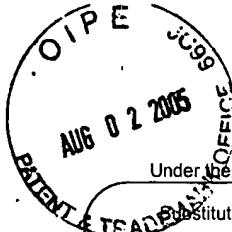
(A duplicate of this document is enclosed herewith.)

Respectfully submitted,

Date: August 2, 2005

By: Gary W. McFarron

Gary W. McFarron, Esq.  
Registration No. 27,357  
Cook, Alex, McFarron, Manzo,  
Cummings & Mehler, Ltd.  
200 West Adams St., Suite 2850  
Chicago, IL 60606  
Telephone: (312) 236-8500  
Attorneys for Applicant



PTO/SB/08a (07-05)

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Approved for use in design and use. GMB 0001-0001  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet 1 of 1

**Complete if Known**

Application Number	10/007,364
Filing Date	November 5, 2001
First Named Inventor	Aaron V. Kaplan
Art Unit	3731
Examiner Name	Julian W. Woo
Attorney Docket Number	0313-0003.01

## U. S. PATENT DOCUMENTS

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> "Number <sup>4</sup> "Kind Code <sup>5</sup> (if known)				

**Examiner Signature** | **Date Considered**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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